

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

NO. 4:12-CV-124-D

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
LEARY PERSONAL PROPERTY, )  
SPECIFICALLY DESCRIBED AS: )  
A HI-POINT, MODEL JHP, .45 CALIBER )  
PISTOL, 4 5/8 INCH BARREL, BLACK )  
FINISH, SERIAL NUMBER 4140055; )  
A REMINGTON, MODEL 597, .22 CALIBER )  
BOLT ACTION RIFLE, 20 INCH BARREL, )  
COMPOSITE FINISH, SERIAL NUMBER )  
C2643790; )  
A NORINCO MODEL SKS, 7.62 MM RIFLE, )  
16.5 INCH BARREL, CAMMO FINISH, )  
SERIAL NUMBER 9352457T; )  
A NORINCO, MODEL SKS, 7.62 MM RIFLE, )  
20 3/8 INCH BARREL, SERIAL NUMBER )  
9102714; )  
A SAVAGE, MODEL 9478, 20 GAUGE )  
BREAK-OPEN SINGLE SHOT SHOTGUN, )  
28 INCH BARREL, SERIAL NUMBER )  
D707309; )  
A WINCHESTER, MODEL 67, .22 CALIBER )  
RIFLE, NO SERIAL NUMBER; )  
A NAVY ARMS INT, MODEL COUNTRY BOY )  
1-32, .50 CALIBER BLACK POWDER )  
RIFLE, SERIAL NUMBER 102376; )  
THREE ROUNDS OF ASSORTED )  
MANUFACTURE .45 CALIBER AMMUNITION; )  
 )  
Defendants.

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**DEFAULT JUDGMENT**

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This matter is before the Court on Plaintiff's Motion for Default Judgment. It appearing that a copy of the Amended Complaint herein was served upon the potential claimants of the defendants and that publication was not required, in accordance with Supplemental Rule G(4), and, thus, that due notice was given accordingly, the Court finds that:

1. Process was duly issued in this cause and the defendant was duly seized by the Bureau of Alcohol, Tobacco, Firearms and Explosives pursuant to said process;

2. No entitled persons have filed any claim to the defendant nor answer regarding them within the time fixed by law; and

3. The well-plead allegations of the Amended Complaint in respect to the defendants are taken as admitted, as no one has appeared to deny the same.

Based upon the above findings, it is hereby

ORDERED AND ADJUDGED that:

1. Default judgment be and the same is hereby entered against the defendants;

2. All persons claiming any right, title, or interest in or to the said defendants are held in default;

3. The defendants are forfeited to the United States of America;

4. This Court entered Default in this action at Docket Entry # 14; and

5. The Bureau of Alcohol, Tobacco, Firearms and Explosives is hereby directed to dispose of the defendant according to law.

SO ORDERED this 6 day of March, 2013.

  
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JAMES C. DEVER, III  
UNITED STATES DISTRICT JUDGE